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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

In re A.O., a Person Coming Under the
Juvenile Court Law.

B214254

THE PEOPLE,

(Los Angeles County
Super. Ct. No. VJ35756)

Plaintiff and Respondent,

v.

A.O.,

Defendant and Appellant.

APPEAL from an order of the Superior of Los Angeles County, Heidi W. Shirley,
Juvenile Court Referee. Affirmed.

Lynette Gladd Moore, under appointment by the Court of Appeal, for Defendant
and Appellant.

No appearance for Plaintiff and Respondent.

A.O. appeals from an order of wardship (Welf. & Inst. Code, § 602) upon a finding he committed a second degree robbery (Pen. Code, § 211). Allegations that he committed an assault by means likely to produce great bodily injury (Pen. Code, § 245, subd. (a)(1)) and petty theft (Pen. Code, § 484, subd. (a)) were found not true. He was placed in the camp community placement program and a maximum term of confinement was set at five years and four months.¹

The evidence at the adjudication hearing established that on October 24, 2008, at approximately 7:15 p.m., appellant attempted to leave the Econo 99 Store located on North Bullis Road in Compton without paying for air freshener he had taken. When Edward Bautista, the store manager, confronted appellant, appellant reached into his pocket and pulled out a folded knife. Appellant opened the knife and waved it at Bautista. Bautista backed away and appellant ran. Following his arrest and waiver of his *Miranda*² rights, appellant stated he had taken a spray can and when caught by the store manager, pulled a knife and swung it at him. Appellant said he was not trying to hurt Mr. Bautista, but was just trying to get away. Appellant claimed he tossed the knife when he ran from the store.

In defense, appellant's companion testified he did not see a knife in appellant's hand but rather saw a spoon. Appellant testified he did not have a knife but had a spoon for soup he had been eating. He admitted he told police he had a knife and claimed he did so because he was nervous.

After review of the record, appellant's court-appointed counsel filed an opening brief requesting this court to independently review the record pursuant to the holding of *People v. Wende* (1979) 25 Cal.3d 436, 441.

¹ Previously, he admitted committing vandalism causing damage under \$400, a misdemeanor.

² *Miranda v. Arizona* (1966) 384 U.S. 436.

On June 10, 2009, we advised appellant that he had 30 days within which to personally submit any contentions or issues which he wished us to consider. No response has been received to date.

We have examined the entire record and are satisfied that no arguable issues exist, and that appellant has, by virtue of counsel's compliance with the *Wende* procedure and our review of the record, received adequate and effective appellate review of the order entered against him in this case. (*Smith v. Robbins* (2000) 528 U.S. 259, 278; *People v. Kelly* (2006) 40 Cal.4th 106, 112-113.)

DISPOSITION

The order is affirmed.

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SUZUKAWA, J.

We concur:

EPSTEIN, P.J.

MANELLA, J.